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- Today's Insider (PDF)



## YOU DON'T SAY...

"We live in the South. When in the South has race not been a factor?"

*Sen. Paul Lowe, D-Forsyth, on concerns that information about the racial makeup of voters would not be used to draw new legislative maps.*

THE NEWS & OBSERVER, 8/10/17

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## News Summary

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### Redistricting Rules

Map makers can use election data to achieve political goals as they redraw North Carolina's legislative districts, but they're forbidden from considering voters' race under criteria approved Thursday by the House and Senate committees overseeing the process. These rules also say incumbents can be protected in the new maps, allowing map makers to make "reasonable efforts" to avoid drawing sitting legislators into the same district. The decision disappointed reformers who had hoped to see a less partisan process emerge as the General Assembly complies with a federal court order to replace unconstitutional maps.

"I think it's unfair that the majority obtained by unconstitutional districts is now going to be protected," House Minority Leader Darren Jackson, D-Wake, said. Democrats pushed back

fruitlessly against the new criteria Thursday. In a process that lasted four-and-a-half hours, Republicans shot down the minority party's suggestions and passed their map-making rules on repeated votes that fell along, or very close to, party lines. A court reporter took it all down, including a question-and-answer session GOP leaders held with reporters after the meeting. The three-judge panel that a year ago Friday found racial gerrymanders in 19 House and nine Senate districts will have to sign off on new maps before they take effect, relying in part on records created during this process. With criteria set, GOP leaders turn now to Tom Hofeller, a map-making expert who has taken up the Republican cause in states around the country. In 2011, Hofeller drew the very maps he's now been hired to replace in North Carolina. Drafts should be ready for the public in about two weeks, Republican leaders said, ahead of a contemplated Aug. 24 vote to approve them on the floors of the House and the Senate.

Democrats and good-government groups complained Thursday that the criteria will allow Republicans to key in again on election data as they draw districts. Combined with modern computer software, this allows map makers to create districts they believe a Republican is sure to win and to bunch likely Democratic voters into fewer districts.

Republicans stopped short, though, of promising districts designed to re-enforce their veto-proof majorities in both chambers. State Sen. Erica Smith-Ingram, D-Northampton, asked House Rules Chairman David Lewis point blank: Is the goal to maintain that legislative lead? "The leadership has no such goal," replied Lewis, R-Harnett.

Sen. Terry Van Duyn, D-Buncombe, reminded lawmakers that a stream of speakers during a public hearing last week implored that partisan politics not be considered when drawing maps. "What people were asking for was districts that represent the voters, not districts that represent a political party," Van Duyn said.

The last time Republicans had to redraw districts -- in 2016 when courts found North Carolina's congressional map unconstitutional -- they included a required 10-3 Republican advantage in the map-making criteria. At the time, Lewis said he didn't think an 11-2 map was possible. On Thursday, Lewis said he probably wouldn't say it that way if he could go back, but he was trying to show the courts that race wasn't the deciding factor in new maps -- partisan politics was.

Political gerrymanders are legal, although a Wisconsin case pending before the U.S. Supreme Court could change that. What the courts have forbidden is an over-emphasis on race when it comes to drawing lines.

Some attention to race is typically required, though, because North Carolina must comply with parts of the federal Voting Rights Act, which is meant to protect minority voters' ability to elect candidates of their choice. It is unclear how new maps will satisfy this point. When asked, Republican leaders repeatedly quoted from a court opinion that not only declared race was the predominant factor in drawing the old maps but said GOP legislators failed to produce evidence showing they needed to rely on racial data to satisfy VRA requirements. "The only way to comply ... is not to consider race in that process," Lewis said.

Democrats, and particularly black Democrats, were incredulous. "Do you understand that, by not using race, you're defeating your own purpose?" asked Rep. Mickey Michaux, D-Durham. "The districts were declared unconstitutional because of race. If you don't use race to correct it, how are you going to show the court that they're not still unconstitutional?"

Hofeller will be paid \$50,000 for his work on the new maps, and the GOP majority has told Democrats they can also have \$50,000 in taxpayer money to hire their own expert. Democrats will not have direct access to Hofeller or his work during the mapmaking process, but North Carolina law makes that sort of documentation public information after maps become law.

In addition to incumbency protection, the use of election data and the prohibition against using racial data, the House and Senate committees working on the new maps approved six other criteria Thursday:

- Equal population: Each district must have roughly the same number of people in it, based on the 2010 census.
- Contiguity: All parts of a district must be connected, but it's OK for districts to cross water.
- County groupings: This criteria references various court cases that limit the number of times a district may cross county lines.

- Compactness: Map makers "shall make reasonable efforts" to draw districts more compact than the current ones, as measured by a pair of compactness scoring methods.
- Split precincts: Map makers must also "make reasonable efforts" to split fewer precincts in the maps than the current ones.
- Municipal boundaries: City and town boundaries can be considered as the committee draws new districts.

The federal judges have set a Sept. 1 deadline to have the maps in place.(Travis Fain and Laura Leslie, WRAL NEWS, 8/10/17).

### **Democrats' Proposals**

Before the legislature's Redistricting Committee adopted map-drawing criteria favored by Republicans, Democrats filed two separate proposals offering their own criteria for the process. Rep. David Lewis, R-Harnett and committee co-chairman, said some of the ideas floated by Democrats were used in the final criteria, but efforts by the minority party to amend the GOP's document with more of their suggestions were voted down during Thursday's marathon committee meeting.

One proposal came from Sen. Ben Clark, D-Hoke, and Sen. Erica Smith-Ingram, D-Northampton, and the other was made by House Democratic Leader Darren Jackson with assistance from Senate Minority Leader Dan Blue. While the final criteria will avoid all consideration of race, the Jackson plan says that race "will not be the predominant factor" unless there's "substantial evidence that the district's boundaries are necessary to avoid a violation of the Voting Rights Act." Clark and Smith-Ingram's proposal also includes that provision but went a step further by saying that the current districts ruled to be unconstitutional racial gerrymanders cannot "have a total black voting age population higher than" the black population in the districts that were in effect in 2010.

Both Democratic Party proposals allow for the use of previous election data, but not to give one party a disproportionate advantage. The Jackson-Blue plan says election results can be used "to produce partisan balance in the House and Senate" but not to "produce a partisan political advantage unrelated to the statewide electoral strength of the political parties." Clark and Smith-Ingram called for "partisan symmetry" that would "achieve a distribution of seats commensurate with the partisan make-up of the state." Both proposals say incumbency can't be considered "for the purpose of maintaining ... the partisan advantage gained by the illegal 2011 House and Senate plans." The Clark and Smith-Ingram proposal also included a contiguity provision that says districts "shall be easily accessible for commerce from other areas of the district, without requiring members to transit through an adjacent legislative district." While Lewis called that provision impractical, he said Republicans backed elements of county grouping criteria proposed by Clark and Smith-Ingram.

While Democrats submitted the alternate criteria, Jackson told the Insider Thursday that the minority party might not hire its own consultant to draw alternative maps. Republican leaders authorized Jackson and Blue to spend up to \$50,000 on a redistricting consultant -- the same amount GOP consultant Tom Hofeller is being paid -- but Jackson noted that the authorization was made Aug. 4, while Hofeller was hired in June. Jackson said that doesn't leave much time for a consultant to draw maps, and "we're not going to spend taxpayer money just to spend it," although no final decision has been made. If the Democrats don't draw statewide maps, Jackson said, they'll likely propose amendments to the Republican map once it's released.(Colin Campbell, THE INSIDER, 8/11/17).

### **Visiting Speaker**

House Speaker Tim Moore briefly interrupted Thursday's Redistricting Committee meeting to introduce a special guest in the building: Ohio House Speaker Cliff Rosenberger. "We're doing some things economic development-related," Moore said of Rosenberger's visit, without elaborating. While special guests are typically introduced on the House floor, Moore brought Rosenberger to the committee meeting because the full House isn't currently in session. The Ohio speaker, a Republican, joked that his legislature will have a similar redistricting agenda soon. "We've got to do the very same thing you all are doing, so keep up the hard work," Rosenberger said. Ohio, however, takes a different approach to legislative redistricting: A ballot referendum

that passed there in 2015 gives the task of drawing maps to a seven-member commission that includes the governor, secretary of state, auditor and four legislators, one from each party in each chamber -- ensuring that the minority party has a seat at the table.(Colin Campbell, THE INSIDER, 8/11/17).

## I-77 Tolls

An N.C. Department of Transportation consultant said Thursday that opposition to the Interstate 77 toll lane project is so intense that it would be a "potential justification" for canceling the project entirely. The consultant, Mercator Advisors, said the DOT could cancel the contract with I-77 Mobility Partners "to be responsive to concerns that continue to be expressed by elected officials at the local, county and state level about the (public-private partnership) arrangement." That could cost the state as much as \$300 million, the report said. The consultant's draft report said that "it would be difficult to find a major construction project that does not have some opposition, but sustained resistance by public officials to a project under construction is somewhat unusual." Philadelphia-based Mercator Advisors said the state could cancel the entire toll lane contract with I-77 Mobility Partners, if it's willing to buy the Spanish company out. The consultant also criticized the state for not giving the public a chance to weigh in. "Much of the public frustration with the Express Lanes Project can be attributed to the limited opportunity for public input during the project development period," Mercator said. It also said NCDOT gave inadequate responses to public concerns about the project. The I-77 project will add express toll lanes from uptown to Exit 36 in Iredell County. It was a key issue in last fall's governor's race, and some have linked the issue to Democrat Roy Cooper's narrow victory over the incumbent, Republican Pat McCrory. McCrory has said the DOT was following the wishes of the Charlotte Regional Transportation Planning Organization, which supported the toll lanes on several occasions. But the local governments affected most by the toll lanes rejected the project. On the last vote in early 2016, the towns of Davidson, Cornelius, Huntersville and Pineville, and Mecklenburg, Union and Iredell counties voted no. The city of Charlotte voted yes. Under Cooper, DOT hired Mercator earlier this year to review the contract, and the department has halted planning and design work on other toll lane projects in the area, including I-485 in south Charlotte.(Steve Harrison, THE CHARLOTTE OBSERVER, 8/10/17).

## Campaign Audit

Rep. Jason Saine's campaign made a number of errors in financial reports and improperly spent campaign money on medicine, according to a three-year audit report released recently by the State Board of Elections and Ethics Enforcement.

The agency completed a routine audit of campaign finances for Saine, R-Lincoln, from 2012 to 2015 and found nine problems that his campaign has since corrected. Auditors found that Saine's campaign incorrectly logged contributions from PACs during the 2015 long session, and it's illegal for legislators to accept PAC contributions while the legislature is in session. After auditors discovered the problem, a consultant for Saine's campaign submitted an affidavit saying that the dates were incorrect and the contributions were made shortly before the session began.

Saine's campaign also failed to file "48-hour reports" in 2014 for contributions received in the weeks immediately proceeding an election. "No action was taken to correct this error," the audit report said. "The treasurer was reminded to submit 48-hour reports on a timely basis." Auditors also sought and obtained additional details about nearly 300 campaign expenditures that the audit said "were reported with a vague purpose such as 'gifts,' 'food' or 'tickets,' etc." The campaign provided an 18-page spreadsheet explaining the expenses. The document listed airfare to legislative conferences, "basketball tickets for official legislative visit to UNCC," "apparel related to serving in office," and several charges for car washes at Mrs. Bubbles in Lincolnton as "part of travel in district with other elected officials." Saine made headlines in 2015 for spending \$19,000 in campaign funds on clothing, explaining that he wouldn't need to purchase business suits if he wasn't in office.

Only one of the expenses was found to be improper: A \$13.87 expenditure for "medicine" at Rite Aid in 2012. The test for whether spending is appropriate for campaign funds is whether it's directly related to campaigning or serving in office. Saine reimbursed his campaign for the \$13.87 as a result of the audit.(Colin Campbell, THE INSIDER, 8/10/17).

## **Weekend TV**

Political roundtable shows in North Carolina are slated to talk about issues related to education, including class size and the N.C. Innovative School District, as well as budget cuts to the attorney general's office and Gov. Roy Cooper's latest courtroom battle with legislative leaders. Here's what to look for:

- **Bottom Line:** This week's show focuses on the next generation of N.C. Business leaders. **Host:** Joe Stewart **Guests:** Insider Editor Colin Campbell, David Mildenberg of Business North Carolina, Tommy Thekkekandam of Tom & Jenny's, Brandon Hoe of Helium, and John Kane and Bonner Gaylord, both of Kane Realty. **Airs:** Fridays at 10 p.m., Saturdays at 3 a.m., and Sundays at 8:30 a.m. and 4:30 p.m. on UNC-TV's North Carolina Channel or [online](#).
- **In Focus:** Experts this week will discuss the ongoing issue of class size in public schools. **Host:** Loretta Boniti **Guests:** Katherine Joyce, executive director of the N.C. Association of School Administrators, Tamika Walker Kelly, music teacher at Morganton Road Elementary School, Sen. Erica Smith-Ingram, D-Northampton, Rep. Craig Horn, R-Union, Terry Stoops, vice president for research and director of education studies at the John Locke Foundation, and Sara Bigley with UNC-Greensboro's N.C. SERVE Center **Airs:** 11:30 a.m. and 8:30 p.m. Sunday on Spectrum News/News 14, and can be found [online](#).
- **Education Matters:** Panelists this week will take a closer look at the N.C. Innovative School District and new teacher pay pilot programs. **Host:** Keith Poston **Guests:** Eric Hall, N.C. Innovative School District, Philip Holmes, director of Project Advance at Chapel Hill-Carrboro City Schools and Courtney Sears, teacher at Ephesus Elementary School in Chapel Hill. **Airs:** Saturdays at 7:30 p.m. on WRAL, Sundays at 6:30 a.m. and Wednesdays at 9:30 a.m. on the NC Channel, or anytime at [NCForum.org](#).
- **Front Row:** Panelists this week look at the scorecard for the GOP Congress, discuss criticism lodged at U.S. Sen. Thom Tillis from the right, plans to expand Medicaid, and Gov. Roy Cooper's lawsuit calling parts of the state budget unconstitutional. **Host:** Marc Rotterman **Guests:** Mitch Kokai of the John Locke Foundation, Rep. Ed Hanes, D-Forsyth, Rep. Nelson Dollar, R-Wake, and Donna King, managing editor of the North State Journal **Airs:** 8:30 p.m. Friday on UNC-TV, and on the NC Channel at 9 p.m. Friday, 4 p.m. Saturday and 9:30 a.m. Sunday
- **NC Spin:** Panelists this week will discuss the \$10 million budget cut to Attorney General Josh Stein's office, the special legislative sessions, and the Department of Health and Human Services' recent Medicaid proposals. **Host:** Tom Campbell **Guests:** Becki Gray of the John Locke Foundation, Chris Fitzsimon of N.C. Policy Watch, political analyst Peg O'Connell, and former Republican lawmaker Gene Arnold. **Airs:** Times vary by market. Details can be found online at [NC Spin](#).
- **On the Record:** This week's show is all about the upcoming eclipse and what viewers should know before they look up to the sky. **Host:** David Crabtree **Guests:** WRAL Chief Meteorologist Greg Fishel and NASA Ambassador Tony Rice. **Airs:** Saturday, 7 p.m. on WRAL-TV, with recordings available online at [wral.com](#).

(THE INSIDER, 8/11/17).

## **GenX Request**

Republican state senators, including the region's two members, questioned the necessity of Gov. Roy Cooper's request for nearly \$2.6 million to respond to the presence of GenX in the Cape Fear River. "The governor's proposal does absolutely nothing to ensure GenX is removed from our water source. There are absolutely no action steps laid out in his request to help New Hanover County residents," N.C. Sen. Michael Lee, R-New Hanover, said in a text message.

The letter delivered to Cooper on Wednesday evening asked him to answer 21 questions to justify the additional spending. N.C. Sens. Michael Lee, R-New Hanover, and Bill Rabon, R-Brunswick, were co-signers on the letter.

"While we review your administration's request for a roughly \$2.58 million additional appropriation, we also want to address recent news reports that have called attention to multiple

inconsistencies in your administration's handling of this crisis. In order to better understand the timing and rationale for what looks like a reversal of course on several fronts, we request answers to the following questions," it said.

"Top officials from DEQ and DHHS were ready to brief legislators in person, but legislators canceled. After years of cuts to these agencies, this issue requires immediate action so people can have confidence in their drinking water going forward. We will continue to work with Republicans and Democrats on this matter," Cooper's spokesman, Ford Porter, said in response to the letter. The request from the N.C. Departments of Environmental Quality (DEQ) and Health and Human Services (DHHS) asks for 16 new staff members in the DEQ's Division of Water Resources, \$730,000 to continue tests for GenX and about \$530,000 to form a Water Health and Safety Unit within DHHS.

A DEQ release said the department has seen the elimination of about 70 permitting, compliance or enforcement positions since 2013. It said the additional resources would address emerging contaminants like GenX and help the agency deal with a backlog in DEQ's permitting of major wastewater permits.(Tim Buckland, WILMINGTON STAR-NEWS, 8/10/17).

### **Campaign Finance**

A North Carolina Republican leader was accused of "boasting about skirting campaign finance laws and laundering money" through the party's treasurer, but he said his comments were taken out of context and were clearly a joke. The N.C. Democratic Party sent an email to the media with an alleged audio recording of N.C. GOP Executive Director Dallas Woodhouse at the Red, White & BBQ event hosted by the Eastern Wake Republican Club in Knightdale.

"When we need to take illegal cash under the table and when we need -- I see none of the politicians are laughing -- when we need to take the big liberal Hollywood elites' money, nobody can help us hide it better than David (Cozart)," Woodhouse said. "Thank you; it was so hidden that even I was unable to find it or spend it."

Woodhouse confirmed to The News & Observer on Thursday that the recording was him speaking at the event, but he said he was "obviously speaking in jest."

The N.C. Democratic Party accused Woodhouse of being inappropriate. "Apparently, Dallas and North Carolina Republicans think our election laws are a laughing matter," Kimberly Reynolds, the party's executive director, said in a statement Thursday. "These comments serve as yet another reminder of the NC GOP's hypocrisy and disrespect for voters and state law."(Abbie Bennett, THE NEWS & OBSERVER, 8/10/17).

### **Needle Exchanges**

On Wednesday afternoons the North Carolina Harm Reduction Coalition operates a needle exchange program from a gray, nondescript minivan that they drive around downtown Wilmington. They schedule back-to-back meet up points behind fast food joints, gas stations, strip malls and at some individuals' homes.

The NCHRC's goal is to see syringe exchange participants stop using drugs and move into addiction treatment. But in the meantime, they deliver clean supplies and naloxone to prevent those using intravenous drugs from contracting HIV and hepatitis C, or worse, dying from a drug overdose. In 2016, there were 3,684 overdose reversals reported to NCHRC.

What the NCHRC does is legal as of last year when the General Assembly passed a law allowing syringe exchanges in North Carolina. There are now of 22 needle exchanges in the state.

However, what people do with many of these supplies is definitely illegal.

State law requires there to be some form of written verification for members of a needle exchange program. The NCHRC in Wilmington has between 400-500 registered participants. Very little personal information goes into the identification card. Sometimes volunteers don't even ask for a last name. Additionally, the law provides limited immunity for needle exchange participants in possession of injection supplies and any residue in them, she said. In theory, if a needle exchange participant in possession of syringes is stopped by an officer, they should be able to present their ID card and avoid a paraphernalia charge.

In 2016, there were 3,684 overdose reversals reported to NCHRC. An estimated 110,000 North Carolinians currently live with hepatitis C, a fourfold increase since 2009. What the NCHRC does is

legal as of last year when the General Assembly passed a law allowing syringe exchanges in North Carolina. There are now 22 needle exchanges in the state.

A needle exchange program will also likely be underway in Cherokee by the end of the year following Tribal Council's unanimous vote to write the existence of such a program into its code. "It's about teaching people how to be safe and saving lives," said Vicki Bradley, director of the tribe's Public Health and Human Services division. Such programs are the only ones proven to be effective in reducing the incidence of drug-related diseases, Bradley said, and participation makes someone five times more likely to go into a treatment program. The proposed 2018 budget contains \$750,000 in funding for the program. "What we want to do is stop the spread of disease," Bradley said. "We also want to stop the incidence of dirty needles in our community. It's a public safety issue."(Taylor Knopf, NC HEALTH NEWS and Holly Kays, SMOKY MOUNTAIN NEWS, 8/10/17).

### **Jones Comments**

Congressman Walter Jones said he will continue to try and chip away at key problems facing the country, even if it means resisting the wishes of Republican Party leadership in Washington.

Speaking to locals at a Tuesday meeting of the Morehead City Rotary Club, the longtime representative said the U.S. House's vote on health care overhaul was an example of his divergence from party direction. "There's no reason, in all these years of the Affordable Care Act, that we had to ram this thing through," he told Rotarians at their August meeting at Golden Corral. "We could've taken our time, listened to the American people and slowly, step by step come out with really what I think would've been a good bill."

Healthcare isn't Rep. Jones' only break from party leaders, he noted Tuesday, stating that he continues to oppose their spending plans and the growing U.S. deficit. "I will be part of probably only 20 Republicans, maybe 25, that will vote against raising the debt ceiling ... that does not make the leadership of the Republican Party of Washington very happy," he said. That vote will likely come just before Congress' mid-October deadline to lift the government's statutory borrowing limit. "The wall that Mr. Trump would like to build is gonna cost us about \$23 billion. I don't know where all this money is coming from," he noted.(Jackie Starkey, CARTERET COUNTY NEWS-TIMES, 8/09/17).

### **Blackface Comment**

A Facebook interaction involving a former UNC Board of Trustees member drew attention after a Durham lawyer shared it on Twitter on Wednesday. After a high school classmate reached out to former trustee Donald Curtis in late July, his reply referenced memories of the woman appearing in "blackface" in a play. The term relates to the historically offensive theatrical use of makeup by non-black actors to represent black people. Reached Thursday, Curtis said his comment referred to a one-act play in which his friend, Polly Hamrick, played an African American maid character and wore makeup as part of her costume. The two attended high school in the 1950s in Bessemer City, a small community in Gaston County. "The makeup was just makeup," Curtis said. "I mean it wasn't white lips and all that stuff. I probably shouldn't have used the word 'blackface.' It wasn't Al Jolson. It wasn't minstrel stuff," he said, referring to the 1930s white actor who sometimes performed in blackface makeup. Curtis said he was the director of the drama, and he couldn't recall the name of it. "It had absolutely nothing to do with race," he said. Curtis owns Curtis Media Group, a broadcast company that includes 57 radio stations across North Carolina. He served two four-year terms on the UNC trustee board, and his term wrapped up last month. He is an alumnus of UNC.(Jane Stancill and Aaron Moody, THE NEWS & OBSERVER, 8/10/17).

### **ACP Hearings**

The N.C. Department of Environmental Quality is doing what the Robeson County Board of Commissioners decided against -- scheduling "listening sessions" to obtain community feedback from the eight North Carolina counties that will be affected by the proposed 600-mile Atlantic Coast Pipeline. Atlantic Coast Pipeline LLC is proposing to construct one compressor station and install about 186 miles of 36-inch transmission pipeline in Northampton, Halifax, Nash, Wilson, Johnston, Sampson, Cumberland and Robeson counties.

Robeson County residents opposing the Atlantic Coast Pipeline have called on county commissioners to hold public meetings to educate the public about the proposed interstate natural gas pipeline that will begin in West Virginia and end in Pembroke. On Monday, the commissioners ignored the call for public meetings about the pipeline and unanimously approved a conditional-use permit that allows for the placement of a monitoring station and a 350-foot-tall microwave cell tower on property owned by Piedmont Natural Gas Inc. The monitoring station and cell tower are considered critical if the pipeline is to move forward.(Bob Shiles, THE ROBESONIAN, 8/10/17).

### **Health Dispute**

Mission Health offered Thursday to hold harmless people who get their insurance through the Affordable Care Act despite its contract dispute with Blue Cross Blue Shield NC, but Blue Cross NC turned the proposal down. Mission's offer would affect the roughly 50,000 people in Western North Carolina who get their insurance via the ACA, commonly called Obamacare. They are among 260,000 WNC residents for whom care at hospitals, doctors' offices and other health care providers that are part of Mission will become more expensive if Mission and Blue Cross NC have not agreed to a new contract Oct. 5.

Mission's offer would have meant those covered through the ACA would pay the same for using Mission providers as they do now. "We take our responsibility as Western North Carolina's only safety net health system incredibly seriously," said Mission President and CEO Dr. Ron Paulus. Blue Cross NC said later Thursday it was rejecting Mission's offer because it leaves out WNC residents who are not on the ACA. Blue Cross NC CEO Brad Wilson said, "This is unfair to tens of thousands of other members; therefore Blue Cross NC has no choice but to reject this offer."(Mark Barrett, ASHEVILLE CITIZEN-TIMES, 8/10/17).

### **Voter Challenge**

The target of a voter registration challenge is threatening a lawsuit for damages, even though the local GOP paid the tab for his attorney's fees. A letter from the attorney of Mark Jones, Surry County Republican Party chairman, accompanied by a yet-to-be filed defamation of character complaint, claims Mount Airy resident Diana Gwyn owes damages as a result of Gwyn's challenge questioning Jones' residency. In March, Jones was elected as the local party's chair at the party's annual convention. Less than a month later, Gwyn filed a challenge claiming that Jones didn't live at the location at which he was registered to vote. Gwyn's complaint was unanimously dismissed by the Surry County Board of Elections after a formal hearing in May. However, a letter from Jones' attorney, Brian LiVecchi, to Gwyn indicates the matter may not be over. "I sent you a letter demanding that you compensate Mr. Jones for the damages you have caused and immediately cease and desist from further unlawful conduct. You have done neither." As of Tuesday morning, the complaint had not been filed with the Surry County Clerk of Court.(Andy Winemiller, THE MOUNT AIRY NEWS, 8/09/17).

### **Senate Candidate**

Todd Johnson, a former Union County commissioner, announced Monday that he will run to represent the 35th district in the state Senate. The seat will be open next fall when Sen. Tommy Tucker retires, an announcement Tucker made last week. Johnson was a county commissioner for one term from 2010 until 2014. He did not seek re-election. He sits on the North Carolina State Board of Community Colleges, the Jesse Helms Center Board of Directors, the Monroe-Union County Economic Development Board and other boards and local organizations. Johnson ran in the Republican primary for the 9th Congressional District about a year ago. While incumbent Robert Pittenger won the Republican nomination, Johnson took the majority of the vote in a few counties.(Carolyn Steeves, THE (Monroe) ENQUIRER JOURNAL, 8/08/17).

### **Appointed**

Gov. Roy Cooper appointed Alexandra "Alex" Cline McArthur as the new chairperson of the North Carolina Council on Developmental Disabilities, or NCCDD. McArthur will begin her tenure at the council's quarterly meeting on Thursday in Cary. Currently, McArthur is the national director of young adult and community engagement for the Muscular Dystrophy Association's (MDA) Young Adults Program. She also serves as the chairperson of the Board of Directors of the National

Disability Institute, an organization that drives social impact to build a better economic future for people with disabilities and their families.(NEWS RELEASE, 8/10/17).

### **Fort Bragg Name**

North Carolina has a stake in the U.S. Army's decision this week to resist changing the names of two streets at Fort Hamilton, N.Y. because they honor Confederate generals. Fort Bragg, about 55 miles south of Raleigh, is also named after a Confederate general, Braxton Bragg and it could have faced challenges had the Army decided otherwise. Bragg was born in Warrenton. Two streets at Fort Hamilton are named after Confederate figures: Robert E. Lee and "Stonewall" Jackson. The push to remove those names comes at a time when some cities across the nation are debating the issue of moving Confederate monuments and removing Confederate names from parks. To date, New Orleans is the best-known city to move forward with such a plan.

CNN reported Monday that the Army declined to change the street names at Fort Hamilton because it says they honor soldiers who played a significant role in American history "as individuals, not as any particular cause or ideology." U.S. Rep. Yvette Clarke of Brooklyn led the effort to change the street names, media outlets reported.(Mark Price, THE CHARLOTTE OBSERVER, 8/10/17).

### **Donation Error**

For a little while there, it looked like the Iredell County Democratic Party snagged a \$4 million donation on April 1. Certainly, that's what official records on file with the State Board of Elections and Ethics Enforcement said. Was it an April Fools joke? An unreal windfall for a local political party in a county of 170,000 people? More like a simple mistake.

This was the first year North Carolina required this sort of committee to file electronic campaign finance records. When the numbers went in, it seems the date and the donation amount got put in the same field. No one gave \$4,011,725. But on 4/01/17, a Mooresville woman wrote the party a check for \$25. "You can probably deduce for yourself that it's an honest mistake," said Patrick Gannon, spokesman for the state elections board. By Wednesday, board staff had talked to the party and seen a copy of the \$25 check. An amended report is in the offing. At no point did party officials think they had this money. It was just a (virtual) paperwork error that apparently went unnoticed until WRAL picked it up as part of a routine check on campaign finance records across the state.(Travis Fain, WRAL NEWS, 8/10/17).

### **Cherokee Special Election**

Cherokee came one step closer last week to having a special election to fill the vacant vice chief's seat, but the resolution narrowly passed by Tribal Council still needs a signature from Principal Chief Richard Sneed to become effective. "I'm taking everything under advisement as to how to handle this," Sneed said during a follow-up interview. "Speaking with the attorney general, I haven't made a decision on that yet." Tribal Council had voted 57-43 to hold a special election for the office during a special-called meeting Thursday, July 27, but no legislation was attached to the vote. When the council returned for its regularly scheduled Aug. 3 meeting, however, it considered a resolution that would officially direct the Eastern Band of Cherokee Indians Board of Elections to set a date for a special election. The vice chief's seat has been vacant since May 25, when Tribal Council voted to remove then-Principal Chief Patrick Lambert from office and Sneed, then vice chief, was sworn into the office.(Holly Kays, SMOKY MOUNTAIN NEWS, 8/09/17).

### **Labor Vote**

Members of United Steelworkers Local 959 in Fayetteville may not vote on a tentative five-year master labor contract the union reached with Goodyear Tire & Rubber Co. in July until later this month. On July 29, United Steelworkers and the Akron, Ohio-based tire manufacturer tentatively agreed to the pact covering five plants, averting a strike by Local 959 workers at the company's Fayetteville facility. At the time, Ken Nettles, a staff representative for United Steelworkers, said voting on the pending deal should be completed within two weeks. Saturday marks two weeks. But a member of Local 959, who answered the phone Wednesday at the union hall on McCloskey Road, said the vote probably would not take place until about Aug. 22 or 23. He said he didn't

have any details on the contract, including any key issues pertaining to the union.(Michael Futch, THE FAYETTEVILLE OBSERVER, 8/09/17).

### **Discrimination Charge**

Elon University, facing its third recent discrimination lawsuit from a Latino former employee, is denying a long-time custodian's claims that he acted as a supervisor, was passed over for promotion and suffered racist comments from a supervisor. Teofilo Matias was fired over a sexual-harassment accusation in 2016. In his complaint, filed in May, Matias claimed that accusation was not legitimate and he was singled out because he is Hispanic, which the university denies. The university's response also denied specific claims Matias made of racist comments from a higher-up.

This is the third federal discrimination suit filed against Elon by a Hispanic former employee. Former business school professor Michael Rodriguez sued the university in January, charging his former employer discriminated against him because he is Hispanic, paying him less than white peers, refusing him tenure and firing him after six years. There were also questionable charges of sexual harassment against him, he claims in his suit. The suit is pending. Former secretary at the university's human resources department Luz Matias settled a suit with Elon in 2009 claiming she suffered discrimination at work and retaliation when she complained, including termination.(Isaac Groves, BURLINGTON TIMES-NEWS, 8/10/17).

### **Triad Billboards**

The Piedmont Triad Partnership is pitching the economic side of the region while two major sporting events are in the region. The PGA's Wyndham Championship will be held at Sedgefield Country Club in Greensboro from Monday through Aug. 20, while the Winston-Salem Open will be played Aug. 19-26 at Wake Forest Tennis Complex. The partnership has leased two billboards along Interstate 40, one near the Salem Avenue exit in Winston-Salem and one near Patterson Avenue in Greensboro. The billboards cite statistics about the Triad's labor force, economy and other assets. They will be posted through Sept. 3.(Richard Craver, WINSTON-SALEM JOURNAL, 8/10/17).

### **Closing**

Flowers Foods is closing its bakery here in early October, laying off 169 workers, the company said. The Thomasville, Ga.-based snack cake maker said the closure will "improve the profitability of its Warehouse segment" and that sweet baked goods production will "shift to more efficient Flowers' snack cake bakeries." Employees affected by the closure will be offered a severance package, the company said this week in announcing the closing as part of its second quarter earnings report.(WINSTON-SALEM JOURNAL, 8/10/17).

### **Peach Loans**

Area peach growers who lost 35 percent of their crops during a three-day freeze last March may be eligible for federally financed emergency loans. U.S. Agriculture Secretary Sonny Perdue, a native of the "peach state" of Georgia, this week declared Richmond and six neighboring counties eligible for disaster-assistance loans as a result of a "frost and freeze" March 16-18. Perdue named Richmond the "primary disaster county."

"A special pot of money" has been set aside for farmers whose crops were devastated, said Suzanne Simpson, farm loan officer for the U.S. Department of Agriculture in Monroe. Each farmer who demonstrates a catastrophic loss is eligible for as much as \$500,000 in emergency Farm Service Agency loans, if he or she can demonstrate the loss, Simpson said Wednesday.(Christine S. Carroll, RICHMOND COUNTY DAILY JOURNAL, 8/09/17).

## **Legislative Studies and Meetings**

Items in **RED** are new listings.

**LB:** Legislative Building

**LOB:** Legislative Office Building.  
More Information: <http://ncleg.net/LegislativeCalendar/>

### **Friday, Aug. 18**

- Noon | House convenes in session.
- Noon | Senate convenes in session.

### **Thursday, Aug. 24**

- 10 a.m. | North Carolina Courts Commission meets, 643 LOB.

## **N.C. Government Meetings and Hearings**

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Items in **RED** are new listings.

### **Friday, Aug. 11**

- 8:30 a.m. | North Carolina State Board of Dental Examiners meets, 2000 Perimeter Parkway, Suite 160, Morrisville.
- 9 a.m. | Board of Examiners for Speech and Language Pathologists and Audiologists meets, 2400 Freeman Mill Road, At Suite M, Greensboro.
- 9 a.m. | The North Carolina Medical Care Commission meet, 801 Biggs Dr., Brown Building- Conference Room 104, Raleigh.
- 10 a.m. | Water Pollution Control System Operators Certification Commission WPCSOCC meets, 512 N. Salisbury St., At Ground Floor Hearing Room, Raleigh.
- 10 a.m. | NC Trails Committee NC Trails Committee meets, DNCR Regional Office, 176 Riceville Road. Asheville. Contact: [919-707-9320](tel:919-707-9320).
- 10 a.m. | State Banking Commission Rules Advisory Subcommittee meets, 316 W. Edenton St., 1st floor conference room, Raleigh.

### **Monday, Aug. 14**

- 10 a.m. | The North Carolina Auctioneer Licensing Board meets, 108 Ber Creek Dr., Fuquay-Varina.

### **Tuesday, Aug. 15**

- 8:30 a.m. | State Board of Examiners of Plumbing, Heating & Fire Sprinkler Contractors meet, 1109 Dresser Ct., Board Room, Raleigh.
- 12:15 p.m. | NC Military Affairs Commission 3rd Quarter Full NCMAC meets, 430 N. Salisbury St., Room 240, Dept. of Insurance Bldg., Raleigh.
- 1 p.m. | NC Forensic Science Advisory Board Meeting meets, 121 East Tryon Rd, North Carolina State Crime Laboratory, Raleigh.
- 5 p.m. | NC Board of Physical Therapy Examiners Board Meeting meet via conference call. Contact: [919-490-6393](tel:919-490-6393).

### **Wednesday, Aug. 16**

- 10:30 a.m. | The Criminal Justice Education and Training Standards Commission holds public hearing on proposed rule changes, Wake Technical Community College-Public Safety Training Center, 321 Chapanoke Road, Raleigh.

### **Thursday, Aug. 17**

- 10 a.m. | The N.C. Rules Review Commission meets, Administrative Hearings office, Rules Review Commission Room, 1711 New Hope Church Road, Raleigh.

### **Friday, Aug. 18**

- 9 a.m. | The Economic Development Partnership of North Carolina (EDPNC) Board of Directors meet, Carolina Hotel, 80 Carolina Vista Dr., Pinehurst.

### **Monday, Aug. 21**

- 11 a.m. | The Executive Committee of The North Carolina Partnership for Children meets, 1100 Wake Forest Road, Raleigh. Contact: Yvonne Huntley: [919-821-9573](tel:919-821-9573).

### **Friday, Aug. 25**

- 11 a.m. | The Finance and Audit Committee of The North Carolina Partnership for Children meets, 1100 Wake Forest Road, Raleigh. Contact: Yvonne Huntley: [919-821-9573](tel:919-821-9573).

### **Friday, Sept. 1**

- 6:30 p.m. | N.C. State Board of Dental Examiners holds public hearing on proposed rule changes, 2000 Perimeter Park Drive, Suite 160, Morrisville.

### **Thursday, Sept. 7**

- **2 p.m. | The N.C. Private Protective Services Board holds public hearing on proposed rule changes, Private Protective Services Board, 3101 Industrial Drive, Suite 104, Raleigh.**
- **2 p.m. | The N.C. Alarm Systems Licensing Board holds public hearing on proposed rule changes, Alarm Systems Licensing Board Office, 3101 Industrial Drive, Suite 104, Raleigh.**

### **Tuesday, Sept. 12**

- **9 a.m. | The N.C. Building Code Council holds public hearing on proposed rule changes, 2nd Floor Training Room 245, Albemarle Building, 325 North Salisbury St., Raleigh.**

### **Wednesday, Sept. 13**

- 9 a.m. | Environmental Management Commission meets, Ground Floor Hearing Room, Archdale Building, 512 N. Salisbury St., Raleigh.
- 10 a.m. | The N.C. Social Services Commission holds public hearing on proposed rule changes, Division of Social Services, 820 South Boylan Ave., Conference Room 151, Raleigh.

### **Thursday, Sept. 14**

- 9 a.m. | Environmental Management Commission meets, Ground Floor Hearing Room, Archdale Building, 512 N. Salisbury St., Raleigh.

### **Thursday, Sept. 21**

- 10 a.m. | The N.C. Rules Review Commission meets, Administrative Hearings office, Rules Review Commission Room, 1711 New Hope Church Road, Raleigh.

### **Thursday, Sept. 28**

- 10:30 a.m. | The Standard Commercial Fishing License Eligibility Board to the N.C. Division of Marine Fisheries meets, N.C. Division of Marine Fisheries' Wilmington District Office, 127 North Cardinal Dr. Extension, Wilmington.

### **Thursday, Oct. 5**

- TBD | The Golden LEAF Foundation's board meets, TBD. Contact: Jenny Tinklepaugh, [888-684-8404](tel:888-684-8404).
- TBD | The NC Wildlife Resources Commission meets, WRC Centennial Campus, 1751 Varsity Dr., Raleigh.

### **Thursday, Oct. 19**

- 10 a.m. | The N.C. Rules Review Commission meets, Administrative Hearings office, Rules Review Commission Room, 1711 New Hope Church Road, Raleigh.

### **Wednesday, Nov. 8**

- 9 a.m. | Environmental Management Commission meets, Ground Floor Hearing Room, Archdale Building, 512 N. Salisbury St., Raleigh.

### **Thursday, Nov. 9**

- 9 a.m. | Environmental Management Commission meets, Ground Floor Hearing Room, Archdale Building, 512 N. Salisbury St., Raleigh.

### **Thursday, Nov. 16**

- 10 a.m. | The N.C. Rules Review Commission meets, Administrative Hearings office, Rules Review Commission Room, 1711 New Hope Church Road, Raleigh.

### **Thursday, Dec. 7**

- TBD | The Golden LEAF Foundation's board meets, TBD. Contact: Jenny Tinklepaugh, [888-684-8404](tel:888-684-8404).
- TBD | The NC Wildlife Resources Commission meets, 1751 Varsity Dr., Raleigh.

### **Thursday, Dec. 21**

- 10 a.m. | The N.C. Rules Review Commission meets, Administrative Hearings office, Rules Review Commission Room, 1711 New Hope Church Road, Raleigh.

### **Wednesday, Jan. 10**

- 9 a.m. | Environmental Management Commission meets, Ground Floor Hearing Room, Archdale Building, 512 N. Salisbury St., Raleigh.

### **Thursday, Jan. 11**

- 9 a.m. | Environmental Management Commission meets, Ground Floor Hearing Room, Archdale Building, 512 N. Salisbury St., Raleigh.

## N.C. Utilities Commission Hearing Schedule

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Dobbs Building  
430 North Salisbury Street  
Raleigh, North Carolina

More Information: <http://www.ncuc.commerce.state.nc.us/activities/activit.htm>

### Monday, Aug. 14

- Staff Conference

### Monday, Aug. 21

- Staff Conference

### Monday, Aug. 28

- Staff Conference

## UNC Board of Governors

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Board Room of the UNC Center for School Leadership Development  
140 Friday Center Drive, Chapel Hill (**remote meeting locations in RED**)  
More Information: <https://www.northcarolina.edu/bog/schedule.php>

### Friday, Sept. 8

- TBA | The UNC Board of Governors, C.S.L.D. Building, Chapel Hill.

### Friday, Nov. 3

- TBA | The UNC Board of Governors, C.S.L.D. Building, Chapel Hill.

### Friday, Dec. 15

- TBA | The UNC Board of Governors, C.S.L.D. Building, Chapel Hill.

### Friday, Jan. 26, 2018

- TBA | The UNC Board of Governors, C.S.L.D. Building, Chapel Hill.

### Friday, March 23, 2018

- **TBA | UNC Wilmington, Wilmington.**

### Friday, May 25, 2018

- TBA | The UNC Board of Governors, C.S.L.D. Building, Chapel Hill.

## N.C. Dept. of Environmental Quality

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The N.C. Dept. of Environment and Natural Resources has a new name - the N.C. Dept. of Environmental Quality. More Information: <http://portal.ncdenr.org/web/guest/home>

### **Wednesday, Dec. 13**

- 9 a.m. | The State Consumer and Family Advisory Committee (SCFAC) meets, Dix Grill, 1101 Cafeteria Dr., Raleigh.

## **Other Meetings and Events of Interest**

Items in **RED** are new listings.

Friday, Aug. 11

- **10:15 a.m. | Gov. Roy Cooper makes an economic development announcement, 1501 Williamsboro St., Oxford.**

### **Monday, Aug. 14**

- No time given | U.S. Small Business Administration deadline for businesses, private nonprofit organizations, homeowners, and renters in North Carolina to submit disaster loan applications for damages caused by the severe storms on May 30.

**Friday, Sept. 8**

- No Time Given | The 77th Annual National Folk Festival opens in Downtown Greensboro for its third year in the state. Contact: Kaitlin Smith, [336-373-7523, ext 246](#).

### **Sunday, Sept. 24**

- TBD | The NC Bankers Association hold Young Bankers Conference, Crowne Plaza Asheville Resort, Asheville.

### **Wednesday, Oct. 11**

- 10 a.m. | The Carolinas Air Pollution Control Association hold Technical Workshop and Forum, Hilton Myrtle Beach Resort, 10000 Beach Club Dr., Myrtle Beach.

### **Monday, Nov. 6**

- TBD | The NC Bankers Association hold Women in Banking Conference, Renaissance Charlotte Southpark, 5501 Carnegie Blvd., Charlotte.

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